



CITY OF BRUNSWICK

1 W. Potomac Street • Brunswick, Maryland 21716 • (301) 834-7500

MAYOR AND COUNCIL PUBLIC HEARING MINUTES TUESDAY, MAY 12, 2009, 7:00 P.M.

Mandatory Recycling Ordinance No. 481

Mary Elizabeth Bowie-Brunswick Heights-In speaking with community members, some were concerned with the word "mandatory," however, overall citizens were in favor, as she is.

MAYOR AND COUNCIL MEETING MINUTES TUESDAY, MAY 12, 2009, 7:03 P.M.

CALL TO ORDER

PLEDGE

ROLL CALL-Johnson, Biser, Stull, Tome, Smith-all present

MAYOR'S REMARKS

Mayor reads Public Works Week Proclamation.

Mayor reads Police Week Proclamation.

Mayor presents plaque to Dr. Wayne Allgaier for service as a Council Member.

Mayor speaks about Tax Equity.

Mayor speaks about Rosemont water situation...reads portion of Consent Order to postpone termination of water to Rosemont on June 2, 2009.

APPROVAL OF MINUTES

Mayor and Council-April 14 & 28, 2009

Finance Committee-April 7 & 21, 2009

Motion to approve-Stull

2nd-Biser

Vote 5-0

STAFF REPORTS/COMMITTEE REPORTS

Planning & Zoning–Bruce Dell
Report attached.

Public Works–Al Danaher
Report attached.

Police–Acting Chief Frech
Report attached.

Water/Waste Water–Patrick Hoffmaster
Reports attached.

Recreation–Carrie Myers (Jody Bruchey absent)
Report attached.

Code Enforcement–Dave Dunn
Report attached.

CITIZENS' FORUM

Mary Jo Brown, 201 North Dayton Avenue–Requests the Mayor and Council change signage on Brunswick Street by the post office. Letter attached.

Ellis Burris–Souder Road–Suggests corrections for Mandatory Recycling Ordinance. Believes City doesn't need to use term "mandatory." Unless Ordinance is enforced, "mandatory" won't mean anything.

CONSENT AGENDA

Police Officer Swearing In–Tom Jesson. Mayor reads oath and swears Tom Jesson in.

OLD BUSINESS

Business Meter Adjustment Factor–Dave Dunn

Mayor and Council has discussed this at two previous Council meetings and several committee meetings. Gives background of how this issue began. Because businesses have larger meters, it costs the water department more to have water ready to serve, whether the business uses that water or not. Using the capacity that is required for each business, based on fixture counts, City employees have devised a calculation of what water/sewer base rate should be for each business. Spreadsheet attached.

Smith–Believes the landlord should have responsibility of dividing up water/sewer bills where there are more than one business, and/or a business and residential property, on one bill.

Dunn--That is the case. The City doesn't have the capability to divide bills where there is only one meter. City staff still needs to do research on residential side of this issue. Will hold another Public Hearing next meeting, with possible vote.

Smith--Points out that the work being completed now will be good for future development, such as Brunswick Crossing. There won't be a question about how their bills will be calculated.

Dunn--Points out that more analysis needs to be done on this.

Biser--When the information comes back to the Council, can a column be added showing the overall impact on the individual bills?

Dunn--That will happen, however, more analysis needs to be done. Each business needs to be analyzed individually.

Charitable Contribution Request--Grace Baptist Academy
Request attached. This request was tabled from last meeting, due to lack of information.
Motion to approve \$25 add--Smith
2nd--Stull
Vote 5-0

NEW BUSINESS

Mandatory Recycling Ordinance No. 481

Mayor--Doesn't envision a "Trash Cop" looking through garbage bags for non-compliance. This Ordinance isn't supposed to be created for purposes of enforcement. "Mandatory" is really a name for the program where enforcement would be possible for not recycling. The Council wants to strongly encourage recycling.

Tome--Comments as to Council just having received the Ordinance on Friday. The public hasn't seen this Ordinance yet.

Mayor--Council won't vote on this tonight. Will bring this back at next meeting for a vote.

Smith--Doesn't like the word "mandatory," either, but other options (i.e. raising tipping fees, pay-as-you-throw, etc.) are less desirable than what we're proposing.

Mayor--Points out that "mandatory" recycling has worked in Thurmont for several years.

Dave Dunn--This Ordinance needed some "clean-up" work and to address recycling. Proposed Ordinance attached. Mr. Dunn reviews proposed changes to ordinance.

Bob Clark, Key Sanitation--Will not "dig" through trash, but will leave recyclable items, as a way

to educate, as is done in Thurmont. Thurmont has seen a 30% reduction in tipping fees.

Tome--Will Key Sanitation tell City when something is being left at curb?

Bob Clark--No. Residents will call City, who will handle problem or refer resident to Key Sanitation.

Biser--Have Thurmont or Mt. Airy fined anyone yet?

Bob Clark--No. They have issued warnings, but no fines.

Tome--Questions various sections in Ordinance such as: whether Ordinance will define garbage, trash, and refuse in ordinance? Wherever Ordinance says "Chapter" should be changed.

Biser--Suggests Council address technical corrections over e-mail or at a later time, but not at a Council meeting.

Discussion regarding how many gallons of trash ordinance should allow residents to throw out vs. recycle.

Stull--Doesn't have a problem with Mandatory Recycling, but believes this would be premature. County-wide single stream recycling has only been enacted for a few months.

Tome--Before mandatory, we should educate citizens on recycling all that we can. Agrees that mandatory is too soon. Would like to investigate Pay-as-you-throw option. Questions whether ordinance could be enacted in three months, rather than ten days, allowing time to educate citizens about recycling.

Smith--Mandatory is just a word. City is simply trying to reduce refuse stream.

Water Tap Request--510 Knoxville Road--Jim Castle

Staff report attached. Two wells have failed on this property. City consistently denies out-of-city requests for water taps.

Ronald Hahn, 510 Knoxville Road--Immediately re-drilled well when he moved to property in 1992. Has been through three well pumps. Plumbers state well has collapsed. Water filter has been clogged in one week. Two water softeners have been ruined. County says there is no more room on property to drill another well.

Jim--Frederick County Health Department has asked for this tap.

Dave--City attorney has recommended City deny request.

Smith—Owners have his sympathy, however thinks it would be foolish of Council to go against attorney recommendation.

Motion to deny request—Smith
2nd—Tome

Biser—Is there any way that Frederick County Health Department can make the City issue this tap?

Dave Dunn—Yes, that could happen.

Biser—Because of current situation Brunswick is in with litigation, doesn't believe this should be approved. If we're compelled to do it, that's fine.

Vote 5-0 to deny request

2008 Police Annual Report Presentation—Acting Chief Frech
Report attached.

Main Street Requests—June First Friday—Patrick Kay, Main Street Manager

Mayor—Was requested at 1:20 p.m. this afternoon to put this on agenda. Initial reaction was to say “no,” however will allow this time. That won't be practice from this point forward.

Patrick Kay—Overviews request (attached.)

Lt. Frech—If volunteers can set up barricades, can provide an officer for event.

Lengthy discussion regarding specifics of this event.

Mayor suggests Main Street can use Police Department, barricades, block East Potomac street from Maple to Martins Creek. Staff to work out specific details.

Motion to approve—Biser
2nd—Smith
Vote 5-0

Approved By: Parvella Jones 6/9/09 Witnessed By: Dave Dunn 6/9/09
Mayor Date City Administrator Date